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September 25, 2020

VIA ECF

Honorable Katherine Polk Failla
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

MEMO ENDORSED

Re: Christian Brown v. City of New York, et al.
19 Civ. 5347 (KPF)

Your Honor:

I represent the City of New York Eric Simon Jr., and Sherma Dunbar in the above-referenced action. Defendants write to respectfully request: (1) leave to take the deposition of plaintiff Christian Brown pursuant to Fed. R. Civ. P. 30(a)(2)(B); and (2) an order to produce the plaintiff, who is currently incarcerated, for his deposition on October 13, 2020.

Defendants intend to take plaintiff's deposition on October 13, 2020, at 10:00 a.m. via video conference. Accordingly, defendants respectfully request that the Court issue an order directing the Warden or other official in charge of the Anna M. Kross Center to produce plaintiff to a suitable location within the facility to participate in his deposition on October 13, 2020, at 10:00 a.m. Attached hereto is a proposed order.

Defendants thank the Court for its consideration herein.

Respectfully submitted,

/s/ Zachary Kalmbach
Zachary Kalmbach
Assistant Corporation Counsel
Special Federal Litigation Division

Encl.

CC: **Via Regular Mail**

Christian Brown
Plaintiff pro se
B&C 8951700706
Anna M. Kross Center
18-18 Hazen Street
East Elmhurst, New York 11370

Application GRANTED. Pursuant to Federal Rule of Civil Procedure 30(a)(2)(B), Defendant is granted leave to depose Plaintiff Christian Brown. The Court will so-order the proposed order to produce under separate cover.

The Clerk of Court is directed to mail a copy of this Order to Plaintiff.

Dated: September 25, 2020
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE